



OCT 13 2004

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
SEC.912

In Re Application of Kyung-Yoon BAEK et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/043,329	14 January 2002	RAO, Shrinivas H.		2814	6682

Title: **OVERLAY KEY, METHOD OF MANUFACTURING THE SAME AND METHOD OF
MEASURING AN OVERLAY DEGREE USING THE SAME**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

in the above identified application.

- No additional fee is required.
- A check in the amount of \$340.00 is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 50-0238 as described below.
 - Charge the amount of
 - Credit any overpayment.
 - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

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Dated: 13 October 2004

KENNETH D. SPRINGER

REG. NO.: 39,843

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____.

(Date)

Signature of Person Mailing CorrespondenceTyped or Printed Name of Person Mailing Correspondence

CC:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.
SEC.912

In Re Application Of: Kyoung-Yoon Baek et al.

OCT 13 2004
JC25

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/043,329	14 January 2002	RAO, Srinivas H.		2814	6682

**Invention: OVERLAY KEY, METHOD OF MANUFACTURING THE SAME AND METHOD OF
MEASURING AN OVERLAY DEGREE USING THE SAME**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 28 July 2004 finally rejecting Claim(s) 1-23 and 51-58

The fee for this Notice of Appeal is: \$340.00

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0238
- Payment by credit card. Form PTO-2038 is attached.

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Signature

Dated: 13 October 2004

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